S.B.Criminal Revision Petition No.669/2007

Ashok Kumar Dabodiya & Ors. vs. The State of Rajasthan

Date of Order ::: August 17,2007.

HON'BLE MR.JUSTICE G.S.SARRAF

Mr.Suresh Dhenwal for petitioners.
Mr.B.K.Sharma, P.P.

Mr.S.P.Meharwal)
Mr.J.R.Tantia) for complainant

This revision petition is directed against the order dated 7.6.2007 passed by learned Additional Sessions Judge (Fast Track) No.1, Jaipur District, Jaipur in sessions case No.41/2007 whereby charges against the petitioners have been framed under Sections 304-B and 498A IPC.

Heard learned counsel for the petitioners, learned P.P. as well as learned counsel for complainant.

It is not in dispute that the deceased Nikitasha died within seven years of her marriage. It is also not in dispute that the deceased died as a result of hanging. Hari Charan, father of the deceased in his statement recorded under Section 161 Cr.P.C. has stated that when Nikitasha came at makar sankranti then she told that the accused persons harassed and beat her in connection with

demand of dowry.

The standard of proof which is to be finally applied before recording a finding regarding conviction or acquittal of the accused is not exactly to be applied at the stage of framing of charges. At this stage, the court is only expected to see whether there are sufficient ground for proceeding against the accused.

After going through the evidence available on the record I am satisfied that there are sufficient grounds for proceeding against the petitioner under Sections 498A, 304-B I.P.C.

In view of the above discussion, the revision petition fails and the same is hereby dismissed.

(G.S.Sarraf),J.

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JUDGMENT FOR PRONONCEMENT
S.B.Criminal Revision Petition No.521/2007

Man Singh vs. The State of Rajasthan

ON
17.08.2007

HON'BLE MR.JUSTICE G.S.SARRAF

Mr.Rajesh Yadav for the petitioner.
Mr.B.K.Sharma, P.P.